

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 14-cv-02517-PAB-KMT

ROSS DRESS FOR LESS, INC.,

Plaintiff,

v.

WALTON FOOTHILLS HOLDINGS VI, L.L.C. and
FOOTHILLS METROPOLITAN DISTRICT,

Defendants.

ORDER

This matter is before the Court on the parties' Stipulation to Dismiss and to Dissolve Preliminary Injunction [Docket No. 44]. The parties request that the Court enter an order dismissing this action without prejudice and dissolving the temporary restraining order [Docket No. 38], which was converted to a preliminary injunction [Docket No. 40].

The stipulation complies with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), which provides that the "plaintiff may dismiss an action *without a court order* by filing: . . . a stipulation of dismissal signed by all parties who have appeared." (emphasis added). Therefore, the case was dismissed without prejudice as of the entry of Docket No. 44, and the Court need not rule on the parties' stipulation to dismiss.

Since the case is dismissed, the Court will dissolve the preliminary injunction. Wherefore, it is

ORDERED that the Temporary Restraining Order [Docket No. 38], which was converted to a preliminary injunction by joint stipulation [Docket No. 40], is hereby **DISSOLVED**.

DATED November 4, 2014.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge